IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5826 of 2000

with

SPECIAL CIVIL APPLICATION No 6087, 6094,
6102,7928 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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SHREE JANKI KANYA VIDYALAYA

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 5826 of 2000
M/S.VYAS ASSOCIATES for Petitioner No. 1
Mr.I.M.Pandyaq, Asst.GOVERNMENT PLEADER for Respondent No. 1-2
NOTICE SERVED for Respondent No. 3

2. Special Civil Application No. 6087, 6094, 6102 of 2000
MR NC SHAH for Petitioner No. 1
Mr.I.M.Pandya, AGP for respondents.

3. Special Civil Application No.7928/2000
Mr.T.H.Sompura for petitioners
Mr.I.M.Pandya, AGP for respondents

CORAM : MR.JUSTICE JAYANT PATEL

Date of decision: 23/04/2002

ORAL JUDGEMENT

Rule. Mr.Pandya appears and waives service of rule on behalf of respondents. With the consent of learned counsel for parties matters are taken up for final hearing.

2. All these petitions are preferred against the order, dated 2.7.99 passed by the authority and the same are mainly on the ground that the resolution can not be applied for the current academic year.

3. On behalf of the petitioners the contention is raised that similar issue was considered by this court (J.N.Bhatt,J) in SCA No.5795/99 and allied matters and as per the order dated 6.7.01 various directions have been given by this court which are narrated at the last portion of the said judgment.

4. Concerned Asst.Govt.Pleader for the respondents admitted that the matter is covered by the judgment delivered in the aforesaid petitions and states that the authority has no objection if the same directions are given herein the present matters also.

5. Considering over all facts of the matters, I am of the view that in the identical matters directions are given by this court vide judgment dated 6.7.2001 passed in Spl.C.A.No.5795/99 and therefore the cases of the respective petitioners in the present matters also to be considered on the same lines. Rule in each petition is made absolute to the aforesaid extent. There shall be no order as to costs.

23.4.2002 (JAYANT PATEL,J)